

December 10, 2021

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

ATTN: Patrick Webre, Chief, Consumer and Governmental Affairs Bureau

RE: Application of Ariel GP Holdco, LLC and CaptionCall, LLC for Conditional Certification to Provide Internet Protocol Captioned Telephone Relay Service and Request for Confidential Treatment; CG Docket No. 03-123

Dear Ms. Dortch:

Ariel GP Holdco, LLC (“Ariel”) and CaptionCall, LLC (“CaptionCall”) (Ariel and CaptionCall collectively, “Applicants”) are applying for conditional certification to allow CaptionCall, as majority-owned and controlled by Ariel, to continue to provide Internet Protocol Captioned Telephone Service (“IP CTS”) that is eligible for compensation from the Interstate Telecommunications Relay Service Fund (“TRS Fund”). This conditional certification would allow CaptionCall to remain eligible to receive compensation from the TRS Fund for providing IP CTS on an interim basis pending the filing of, and Commission action on, an application for full certification that will be filed after Ariel’s proposed acquisition of CaptionCall is consummated. Copies of the application for conditional certification (“Application”) are attached in confidential and redacted forms. The redacted version of the Application has been electronically filed in the above-referenced Commission docket.

Pursuant to Section 0.459 of the Commission’s rules, 47 C.F.R. § 0.459, the Applicants request confidential treatment for the company-specific, highly sensitive and proprietary commercial information provided in the Application and ask that such information be withheld from public inspection. The information subject to this request is highly sensitive commercial information that falls within Exemption 4 of the Freedom of Information Act, and has been redacted from the version of the Application filed electronically with the Commission.

In support of this request and pursuant to Section 0.459(b) of the Commission’s rules, the Applicants state as follows:

1. Identification of the specific information for which confidential treatment is sought.

The Applicants request confidential treatment of the confidential information that has been redacted from the version of the Application filed electronically with the Commission.

2. Identification of the circumstance giving rise to the submission.

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The Applicants are providing confidential information about the proposed transaction described above, as well as confidential and proprietary information about CaptionCall.

3. Explanation of the degree to which the information is commercial or financial or contains a trade secret or is privileged.

The confidential information contains highly sensitive commercial information about the proposed transaction and the operational, functional, and technological capabilities of CaptionCall.

4. Explanation of the degree to which the information concerns a service that is subject to competition.

The confidential information involves Telecommunications Relay Services, a highly competitive service.

5. Explanation of how disclosure of the information could result in substantial competitive harm.

Disclosure of the redacted information could cause substantial competitive harm to the Applicants because it would provide CaptionCall's competitors with access to details about the company's critical infrastructure, operations, and organization that is not otherwise made public by CaptionCall and that is of a type not typically made public by any TRS competitor. CaptionCall's competitors could use this information to compete against CaptionCall and undermine CaptionCall's position in the IP CTS marketplace.

6. Identification of any measures taken to prevent unauthorized disclosure.

The Applicants treat the redacted information as highly confidential and exercise significant care to ensure that such information is not disclosed to competitors or the public.

7. Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties.

The Applicants do not make the redacted information available to the public, and this information has not previously been disclosed to third parties.

8. Justification of the period during which the submitting party asserts that the material should not be available for public disclosure.

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The Applicants request that the redacted information be treated as confidential on an indefinite basis as they cannot identify a certain date at which this information could be disclosed without causing competitive harm.

Please do not hesitate to direct questions about the attached application to the undersigned

Sincerely,

/s/ Bryan Tramont

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Attachments

cc: Patrick Webre, Chief, Consumer and Governmental Affairs Bureau
Diane Burstein, Deputy Bureau Chief, Consumer and Governmental Affairs Bureau
Robert Aldrich, Legal Advisor, Consumer and Governmental Affairs Bureau
Eliot Greenwald, Deputy Chief, Disability Rights Office

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)	
)	
Telecommunications Relay Services and)	CG Docket No. 03-123
Speech-to-Speech Services for Individuals)	
with Hearing and Speech Disabilities)	
_____)	

**APPLICATION OF ARIEL GP HOLDCO, LLC AND
CAPTIONCALL, LLC FOR CONDITIONAL CERTIFICATION
TO PROVIDE INTERNET PROTOCOL CAPTIONED TELEPHONE SERVICE**

I. INTRODUCTION

With this application (“Application”), Ariel GP Holdco, LLC (“Ariel”) and CaptionCall, LLC (“CaptionCall”) (Ariel and CaptionCall collectively, the “Applicants”) request conditional certification of Ariel to allow CaptionCall, following acquisition of control by Ariel, to continue providing Internet Protocol Captioned Telephone Service (“IP CTS”) that is eligible for compensation from the Interstate Telecommunications Relay Service Fund (“TRS Fund”). Conditional certification would allow CaptionCall to remain eligible to receive compensation from the TRS Fund for the provision of IP CTS on an interim basis pending the filing of, and Federal Communications Commission (“FCC” or “Commission”) action on, an application for full certification of Ariel and CaptionCall that will be filed by CaptionCall after the consummation of Ariel’s acquisition of control of CaptionCall (“Transaction”).

CaptionCall provides IP CTS pursuant to a conditional certification initially granted to and subsequently transferred from its predecessor and direct parent company, Sorenson

Communications, LLC (“Sorenson”).¹ In addition, CaptionCall holds conditional certification to provide IP CTS on a fully automatic basis using automatic speech recognition (“ASR”) technology.² Ariel is an affiliate of Ariel Investments, LLC (“Ariel Investments”), a global value-based asset management firm founded in 1983.³ Ariel and its affiliates intend to acquire a controlling approximately 52.5 percent voting interest in CaptionCall pursuant to a merger agreement being negotiated between Ariel’s affiliate Ariel Alternatives, LLC (“Ariel Alternatives”)⁴ and CaptionCall’s indirect, ultimate parent company Sorenson Holdings, LLC (“Sorenson Holdings”) subject to the satisfaction of certain conditions.

The Commission has stated that certifications to provide Internet-based Telecommunications Relay Service (“iTRS”) are not transferable to parties that do not already hold such certifications. The Commission instead requires that when an uncertified entity purchases, acquires, or merges with another TRS provider, the acquiring or surviving provider must be certified before it can receive payments from the TRS Fund.⁵ When facing a pending

¹ See *Notice of Grant of Conditional Certification for Sorenson Communications, Inc., as Reorganized Pursuant to Chapter 11, to Provide Internet-Based Telecommunications Relay Services Pending Commission Action on Sorenson’s Application for Certification*, Public Notice, 29 FCC Rcd 4111 (CGB 2014) (“April 24, 2014 Notice”). Sorenson transferred its conditional certification to CaptionCall on December 1, 2020. See Letter from Diane Burstein, Deputy Chief, CGB, to John T. Nakahata, Counsel for Sorenson, CG Docket Nos. 10-51 and 03-123 (Dec. 11, 2020), <https://docs.fcc.gov/public/attachments/DOC-368712A1.pdf>.

² See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, CG Docket No. 03-123, DA 21-1080 (CGB rel. Aug. 31, 2021), <https://docs.fcc.gov/public/attachments/DA-21-1080A1.pdf>.

³ See Ariel Investments, <https://www.arielinvestments.com/> (last visited Dec. 7, 2021).

⁴ See Ariel Alternatives, *About Ariel Alternatives’ Project Black*, <https://arielalternatives.com/about/> (last visited Dec. 7, 2021); Ariel Alternatives, *Form ADV, Part 2A*, <https://www.arielinvestments.com/adv2> (last visited Dec. 7, 2021).

⁵ *Consumer and Governmental Affairs Bureau Clarifies the Transferability of Telecommunications Relay Service (TRS) Provider Certification*, Public Notice, 23 FCC Rcd. 10438 (CGB 2008); see also *Structure and Practices of the Video Relay Service Program*,

transaction, the Commission previously has granted “conditional certification” to enable a non-certified entity to acquire a certified TRS provider without causing the TRS provider to experience an interruption in funding.⁶ Such conditional certification has been granted on an interim basis conditioned upon the acquiring entity filing an application for full certification following the transaction’s consummation.⁷

Ariel intends to acquire indirect control of CaptionCall, a certified IP CTS provider,⁸ but Ariel does not itself currently hold an IP CTS certification or any other TRS certification. In accordance with Commission precedent, the Applicants therefore request that the Commission grant Ariel a conditional certification to allow CaptionCall to continue to provide IP CTS and be eligible to receive compensation from the TRS Fund on an interim basis following the proposed transfer of control of CaptionCall to Ariel pursuant to the Transaction. If the Commission grants the Application, CaptionCall, as controlled by Ariel, will file an application for full certification to provide IP CTS within 15 days after the Transaction is consummated. A draft of that application is attached as Exhibit C.⁹ The Applicants ask the

Second Report and Order and Order, 26 FCC Rcd. 10898, 10918 ¶ 47 (2011) (confirming that certification is not transferable to an entity not already certified by the Commission as eligible for compensation from the TRS Fund).

⁶ See April 24, 2014 Notice. See also Notice of Grant of Conditional Certification for CSDVRS, LLC, to Provide Video Relay Service After its Acquisition by Kinderhook Capital Fund IV, L.P., 29 FCC Rcd. 16237 (CGB 2014) (“Kinderhook-ZVRS Public Notice”).

⁷ See April 24, 2014 Notice; Kinderhook-ZVRS Public Notice.

⁸ CaptionCall’s parent company Sorenson holds conditional certification to provide Video Relay Service (“VRS”). Ariel and Sorenson are filing a conditional certification application concurrently herewith seeking conditional certification of Ariel to allow Sorenson, following acquisition of control by Ariel, to continue providing Video Relay Service that is eligible for compensation from the TRS Fund.

⁹ The Exhibits to the draft application set forth in Exhibit C have been omitted because they will need to be updated prior to the filing of an application for full certification.

Commission to allow the conditional certification requested in this Application to remain in effect while the Commission evaluates and makes a final determination regarding CaptionCall's subsequently filed application for full certification.

II. THE PARTIES AND THE PROPOSED TRANSACTION

A. CaptionCall, LLC

CaptionCall initially provided IP CTS pursuant to a conditional certification granted to its predecessor and parent company, Sorenson. Sorenson's most recent conditional certification to provide IP CTS was granted by the Commission's Consumer and Governmental Affairs Bureau ("CGB") in April 2014,¹⁰ and Sorenson transferred that conditional certification to CaptionCall on December 1, 2020.¹¹ In August of this year, CGB granted CaptionCall conditional certification to provide IP CTS on a fully automatic basis using ASR technology to produce captions for telephone calls without the participation of a communications assistant ("CA").¹²

Since 2011, CaptionCall and its IP CTS predecessor Sorenson have provided award-winning IP CTS and earned a reputation for quality, reliability, and efficiency. Indeed, while acting pursuant to Sorenson's certification, CaptionCall established a proven record of meeting and exceeding the Commission's minimum standards. CaptionCall has continued this record since Sorenson transferred its IP CTS conditional certification to CaptionCall in its own right. As

¹⁰ *April 24, 2014 Notice*. Prior to 2014, Sorenson held a conditional certification under its previous ownership.

¹¹ See Letter from Diane Burstein, Deputy Chief, CGB, to John T. Nakahata, Counsel for Sorenson, CG Docket Nos. 10-51 and 03-123 (Dec. 11, 2020), <https://docs.fcc.gov/public/attachments/DOC-368712A1.pdf>.

¹² See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, CG Docket No. 03-123, DA 21-1080 (CGB rel. Aug. 31, 2021), <https://docs.fcc.gov/public/attachments/DA-21-1080A1.pdf>.

of November 1, 2021, CaptionCall served ***BEGIN CONFIDENTIAL*** [REDACTED]

[REDACTED] ***END CONFIDENTIAL***

By offering consumers cutting-edge IP CTS applications and associated equipment, by operating a network of sixteen captioning centers and remote work capabilities, and by training and employing highly skilled CAs, CaptionCall has already demonstrated its commitment to working closely with the hard-of-hearing community to ensure that its communications services continue to meet their needs. CaptionCall always strives to reduce and nearly eliminate waiting time for captions to begin, frequently limiting this period to the time it takes for a user to dial a call. Recent industry surveys confirm that CaptionCall provides industry-leading captioning services.

CaptionCall's phones have been designed to be simple to use, but with a high-quality display to make the captions easy to read. CaptionCall has recognized that its users may need different accommodations for some calls and not for others, so it gives its users the ability to turn captions on and off. CaptionCall's phones utilize enhanced amplification that meets the ITU TIA-4953 and TIA-1083 amplification standards for mild, moderate, and severe levels of hearing loss and hearing aid compatibility independent of the phones' captioning capability. In addition, CaptionCall's mobile application, CaptionCall Mobile, introduced in 2014, has been available throughout the U.S. since 2015. CaptionCall Mobile enables the hard-of-hearing community to make and receive captioned telephone calls on their smartphones and tablets, allowing CaptionCall's users to have the same convenience of mobility that those without hearing impairments take for granted.

CaptionCall continues to innovate with its methods of creating captions. ***BEGIN CONFIDENTIAL*** [REDACTED]

END CONFIDENTIAL

Moreover, as the COVID pandemic unfolded, CaptionCall made extraordinary efforts to keep its service running and to restore service levels as call volume substantially increased. At the start of the COVID pandemic, CaptionCall had no CAs working from home, and the pandemic reduced the number of CAs willing and able to come to work in call centers. Facilitated by the Commission's COVID waivers, CaptionCall rapidly modified its network to enable remote work by CAs. As a result, CaptionCall was ultimately able to bring its speed of answer back to pre-COVID levels.

CaptionCall, which is a Delaware limited liability company, is wholly owned and controlled by Sorenson, a Utah-organized limited liability company, which, in turn, is wholly owned and controlled by SCI Holdings, LLC ("SCI Holdings"), a Delaware-organized limited liability company. SCI Holdings is wholly owned and controlled by Sorenson Holdings, which also is a Delaware-organized limited liability company.

B. Ariel GP Holdco, LLC

Ariel is an affiliate of Ariel Investments and Ariel Alternatives. Founded in 1983, Ariel Investments is a Delaware-organized limited liability company and a global value-based asset management firm. Launched in February 2021, Ariel Alternatives, a Delaware-organized limited liability company, is a private asset management firm affiliated with Ariel. Ariel Alternatives' mission is to scale sustainable minority-owned business enterprises, as described in detail below as part of the demonstration that grant of this Application is in the public interest. The address

for Ariel, Ariel Investments, and Ariel Alternatives currently is 200 E. Randolph Street, 29th Floor, Chicago, Illinois, and its telephone number is (312) 612-2600.¹³

Ariel will indirectly own and control approximately 52.5 percent of the voting and equity interests in Delaware-organized limited liability company Inclusive Language Services, LLC (“ILS”), which, in turn, will wholly own and control Sorenson Holdings, LLC following the consummation of the Transaction. Ariel holds its interest in ILS through two Ariel-affiliated investment funds, Project Black Fund, LP (“Project Black Fund”), a Delaware-organized limited partnership, and Project Black Coordinated Participation Fund, LP (“PBCP Fund”), also a Delaware-organized limited partnership. Collectively, the two funds directly hold an approximately 52.5 percent voting and equity interests in ILS. Ariel Alternatives¹⁴ serves as the investment advisor to both Project Black Fund and PBCP Fund.

The sole general partner of the Project Black Fund is Project Black GP, LP (“Project Black GP”), a Delaware-organized limited partnership, and the sole general partner of the PBCP Fund is Project Black Coordinated Participation Fund GP, LP (“PBCP GP”), a Delaware-organized limited partnership. Ariel is the sole general partner of both Project Black GP and PBCP GP. The limited partner investors in the Project Black Fund, PBCP Fund, Project Black GP, and PBCP GP hold no material voting interests in these limited partnerships, and no single such limited partner investor will hold a direct or indirect aggregate voting or equity interest in CaptionCall of 10 percent or more.

The sole member of Ariel is Ariel Investments, which wholly owns and controls Ariel. Two U.S. citizens control Ariel Investments: John W. Rogers, Jr. and Mellody Hobson. Through

¹³ Within the coming year, Ariel Alternatives will be relocating its offices to New York City.

¹⁴ See Ariel Alternatives, *Form ADV, Part 2A*, <https://www.arielinvestments.com/adv2> (last visited Dec. 7, 2021).

their direct interest in Ariel Investments and through their interests in Ariel Capital Management Holdings, Inc. (“Ariel Capital”), an Illinois corporation that holds an approximately 47 percent interest in Ariel Investments, Mr. Rogers and Ms. Hobson collectively hold an approximately 70 percent interest in Ariel Investments. No other individual or entity holds a direct or indirect aggregate 10 percent or greater voting or equity interest in Ariel Investments, or in Sorenson or CaptionCall through Ariel Investments, and more than 99 percent of Ariel Investments is held by U.S. individuals or entities.

The proposed post-consummation ownership structure of CaptionCall is set forth in Exhibit A.

C. Proposed Transaction

Pursuant to the merger agreement being negotiated, Ariel intends to acquire indirect control of Sorenson Holdings, a Delaware limited liability company that is the parent company of Sorenson and indirect parent company of CaptionCall, subject to certain conditions set forth in the merger agreement. These include obtaining all applicable regulatory approvals, including approval by the Commission of this Application, and the Applicants’ agreement on all outstanding terms of the Transaction.

Following consummation of the Transaction, Ariel will control, and the Project Black Fund and PBCP Fund will hold, approximately 52.5 percent of the issued and outstanding voting equity of ILS, which, in turn, will wholly own and control Sorenson Holdings and therefore Sorenson and CaptionCall. This voting control of ILS will provide Ariel with *de jure* and *de facto* control of Sorenson and CaptionCall post-consummation. Through its control of a majority of ILS’ voting equity, Ariel will hold the exclusive right to appoint a majority of ILS’ board of managers, as well as the Chairman of ILS’ board. ILS’ board of managers, in turn, exclusively

will control the business and affairs of ILS, including control of ILS’ controlling interest in Sorenson Holdings, Sorenson, and CaptionCall.

Sorenson Holdings’ current indirect controlling interest holder, funds managed by affiliates of Blackstone, Inc. (“Blackstone”), will become a non-controlling interest holder in ILS following consummation of the Transaction. At that time, there will be two non-controlling minority interest holders in ILS that hold aggregate direct or indirect equity and voting interests of at least 10 percent:

- Certain funds managed or advised by Blackstone Alternative Credit Advisors LP Credit L.P., formerly known as GSO Capital Partners LP, *****BEGIN**

CONFIDENTIAL*** [REDACTED]

*****END**

CONFIDENTIAL***

- Certain investment funds for which Franklin Mutual Advisers LLC acts as an investment advisor *****BEGIN CONFIDENTIAL***** [REDACTED]

*****END CONFIDENTIAL*****

III. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST

Sorenson and CaptionCall will be among the first of Ariel’s investments through Ariel Alternatives’ Project Black initiative. Ariel Alternatives is the investment advisor for Project Black Fund and PBCP Fund and will manage their investment in Sorenson and CaptionCall. “An

enterprise newly conceived for the times, built on a 38-year-old foundation,”¹⁵ Ariel Alternatives has the objective of scaling sustainable minority-owned businesses. As part of this effort, Ariel Alternatives will manage Ariel’s investment in middle-market companies that are not currently minority owned, transforming these entities into certified minority business enterprises, as well as in existing Black and Latinx-owned businesses. Ariel Alternatives aims to close the racial wealth gap by generating jobs, economic growth and opportunity, and equity within underrepresented populations from the entry level to the boardroom.

Through its affiliate, Project Black Management Company, LLC (“Project Black”), Ariel and Ariel Alternatives plan to invest in six to ten existing standalone companies and corporate divisions in the middle market that are not currently minority owned, as well as existing Black and Latinx-owned businesses, with \$100 million to more than \$1 billion in revenue. Project Black will seek to position these companies as leading suppliers to Fortune 500 companies—supporting supply chain diversity. Through a rigorous review and direct engagement, Project Black’s investment team researched the needs of Fortune 500 companies across industries. Project Black plans to focus predominately on the following sectors: healthcare products and services, industrial services, media and marketing services, non-core business process outsourcing, niche value-added manufacturing and packaging, technology, transportation and logistics, and financial and professional services. The Project Black strategy will continue to be informed by direct engagement with Ariel Alternatives’ network of Fortune 500 companies that are committed to diversifying their vendors and narrowing the wealth gap. The Project Black

¹⁵ See Ariel Alternatives, *Introducing Ariel Alternatives, LLC*, <https://arielalternatives.com/> (last visited Dec. 7, 2021).

investment team believes that through ownership and ongoing counsel, future companies will become scalable platforms with long-term growth potential.

Project Black aims to help Fortune 500 corporations and other large business enterprises achieve supplier-diversity and corporate-citizenship impact goals. Through its companies, this initiative will empower diverse leadership and workforces, strive to create up to 100,000 jobs in the next decade, and enable employees to build wealth over time. Ariel Alternatives will also direct a portion of the profit it receives from Project Black to philanthropic organizations dedicated to equity, inclusion, and civil rights.

Project Black is led by an experienced leadership team. Ariel Alternatives has assembled an experienced and highly accomplished leadership team to carry out the Project Black vision. Co-founder Mellody Hobson is Co-CEO, President, and a director of Ariel Investments and Chairman of the Board of Trustees of the Ariel Investment Trust, an investment company registered with the Securities and Exchange Commission. She is also Chair of the Board of Starbucks Corporation and a director of JPMorgan Chase. Co-founder Leslie A. Brun has over 40 years of private-equity experience. He is the founder and former Chairman and CEO of Hamilton Lane, a publicly traded global investment firm with over \$500 billion in assets under management and supervision. He currently serves as Chairman of CDK Global, lead independent director of Broadridge Financial Solutions, Inc., and a director of Corning, Inc. In addition, he was the previous lead independent director of Merck & Co., Inc. and is a former director of Ariel Investments.

Other key senior members of the Project Black investment team, Frantz Alphonse, Charles Corpening, and Richard Powell, bring decades of experience in private-equity

investing.¹⁶ These investment team leaders have worked over decades in similar markets to those on which Ariel Alternatives is focusing through Project Black. They bring deep relationships with Fortune 500 C-Suite executives, board members, and purchasing officers. Ariel Alternatives will also leverage strategic counsel from its advisory board, a group of highly diverse individuals who have served on the boards of several Fortune 500 and other public companies, including, but not limited to: Apple, Inc.; Dell Inc.; HP Inc.; McDonald's Corporation; The New York Times Company; Nike, Inc.; and Synchrony Financial.

Sorenson and CaptionCall will be led by new management and a new board of directors post-acquisition. In acquiring Sorenson and CaptionCall, Ariel plans to inject the companies with new management and a new board of directors, as well as imposing new strategic priorities, including enhanced compliance expertise and controls. Ariel already has identified highly talented leadership to manage the companies and to serve on their boards of directors.

- Jorge Rodriguez will become the CEO of Sorenson and CaptionCall and a director on their board of directors. Mr. Rodriguez, who most recently was the President and CEO of multiple America Movil companies, has more than thirty years of telecommunications and management experience. He also serves on the board of several America Movil companies, as well as other boards, including the Board of Overseers for Columbia University School of Professional Studies.
- Paget Alves will become the Chairman of the board of directors of Sorenson. Mr. Alves previously served as the Chief Sales Officer and President of Business Markets Group for Sprint Corporation. He also is a board member of Assurant, Inc.; International Game

¹⁶ Additional information about Ariel Investments' leadership, including bios of the individuals named in the text, can be found at <https://arielalternatives.com/team/>.

Technology, PLC; Synchrony Financial; and Yum! Brands, Inc.

- Vonya McCann will also join the Sorenson board of directors and provide a dedicated, board-level focus on ensuring strong compliance. Ms. McCann, who formerly was a Senior Vice President for Government Affairs at Sprint Corporation, has had a long career in both communications and government.

Brief biographies of Mr. Rodriguez, Mr. Alves, and Ms. McCann are attached as Exhibit B.

As the new controlling owner of Sorenson, Ariel intends to bring new focus to three areas that are significant to the Commission's public interest analysis: (1) maintaining an enhanced working relationship with the Commission so that the company can work as a partner to help maximize the benefits of TRS for those who need it while using the TRS Fund wisely; (2) repositioning the company to pursue non-TRS business-to-business opportunities that will diversify the service offerings of Sorenson and CaptionCall to benefit the deaf and hard-of-hearing community; and (3) expanding access to TRS and other disability access services for the deaf and hard-of-hearing community, especially in currently underserved areas.

Sorenson and CaptionCall will focus on their relationship with the FCC and the deaf and hard of hearing. On the first point, Ariel fully understands the importance of the Commission's oversight of the TRS Fund and the need for TRS providers to work cooperatively with the Commission both to provide excellent services to the individuals who need TRS and to ensure that money from the TRS Fund is well spent. Ariel will task Sorenson and CaptionCall's new board and senior management with ensuring that CaptionCall's relationship with the FCC has a strong foundation going forward. Part of this key initiative will be an intensified, board-level focus on compliance, spearheaded by Ms. McCann.

As a complement to Ariel's commitment to an enhanced relationship with the Commission, Ariel will strive to enhance Sorenson and CaptionCall's relationship with the deaf and hard-of-hearing community as well. Engaging with the community to get a better understanding of deaf and hard-of-hearing individuals' communications needs, particularly those within the community who have not used or had access to TRS, will better allow the company to identify important technological innovations for its TRS offerings.

Sorenson and CaptionCall will expand into non-TRS services for the deaf and hard-of-hearing community. Ariel's planned emphasis on non-TRS, business-to-business service offerings, well beyond Sorenson and CaptionCall's current activity in that market, will allow the companies to bring added benefits to those who are deaf and hard of hearing. TRS is a critical, life-enabling service, and will remain a core focus, but TRS does not meet all the communications needs of the deaf and hard-of-hearing community. By offering interpreting services directly to businesses so that they can provide such things as workplace accommodations, educational activities, and customer service, Sorenson and CaptionCall's expanded business under the leadership of Ariel will meet the broader needs of the community. Ariel will, of course, be vigilant to ensure that the costs of providing non-TRS services are properly allocated, consistent with the Commission's requirements and in a way that does not adversely affect the TRS Fund.

Sorenson and CaptionCall will improve the diversity and enlarge the pool of TRS CAs and non-TRS interpreters. Finally, in addition to benefitting TRS users and the deaf and hard-of-hearing community more generally, Ariel's approach will benefit the broader community as well. As noted above, part of Ariel Alternatives' Project Black mission is to create jobs in diverse communities. The critical need for more, and, as important, more diverse, CAs offers an

opportunity for Ariel's leadership of Sorenson and CaptionCall to help fulfill the Project Black mission. Both in connection with the Commission's TRS programs and for other non-TRS services that Sorenson and CaptionCall will provide to the deaf and hard-of-hearing community, Ariel is exploring opportunities to ensure a more diverse pipeline of future CAs, such as partnerships with leading institutional and community organizations and education scholarships and apprenticeships. In the context of IP CTS, a more diverse pool of CAs is important to maximizing CaptionCall's ability to caption the speech of individuals with accents or regional or ethnic speech patterns, particularly in conjunction with ASR and other uses of enhanced speech recognition software.

For all these reasons, Ariel believes that the Commission's grant of this Application is in the public interest.

IV. CONCLUSION

CaptionCall and Ariel are committed to providing high quality, innovative IP CTS services, as well as to complying fully with all applicable Commission regulations. Granting a conditional certification to allow CaptionCall to remain eligible to receive compensation from the TRS Fund pending full certification is therefore in the public interest.

Respectfully submitted,

By: CAPTIONCALL, LLC

/s/ John Nakahata

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By: ARIEL GP HOLDCO, LLC

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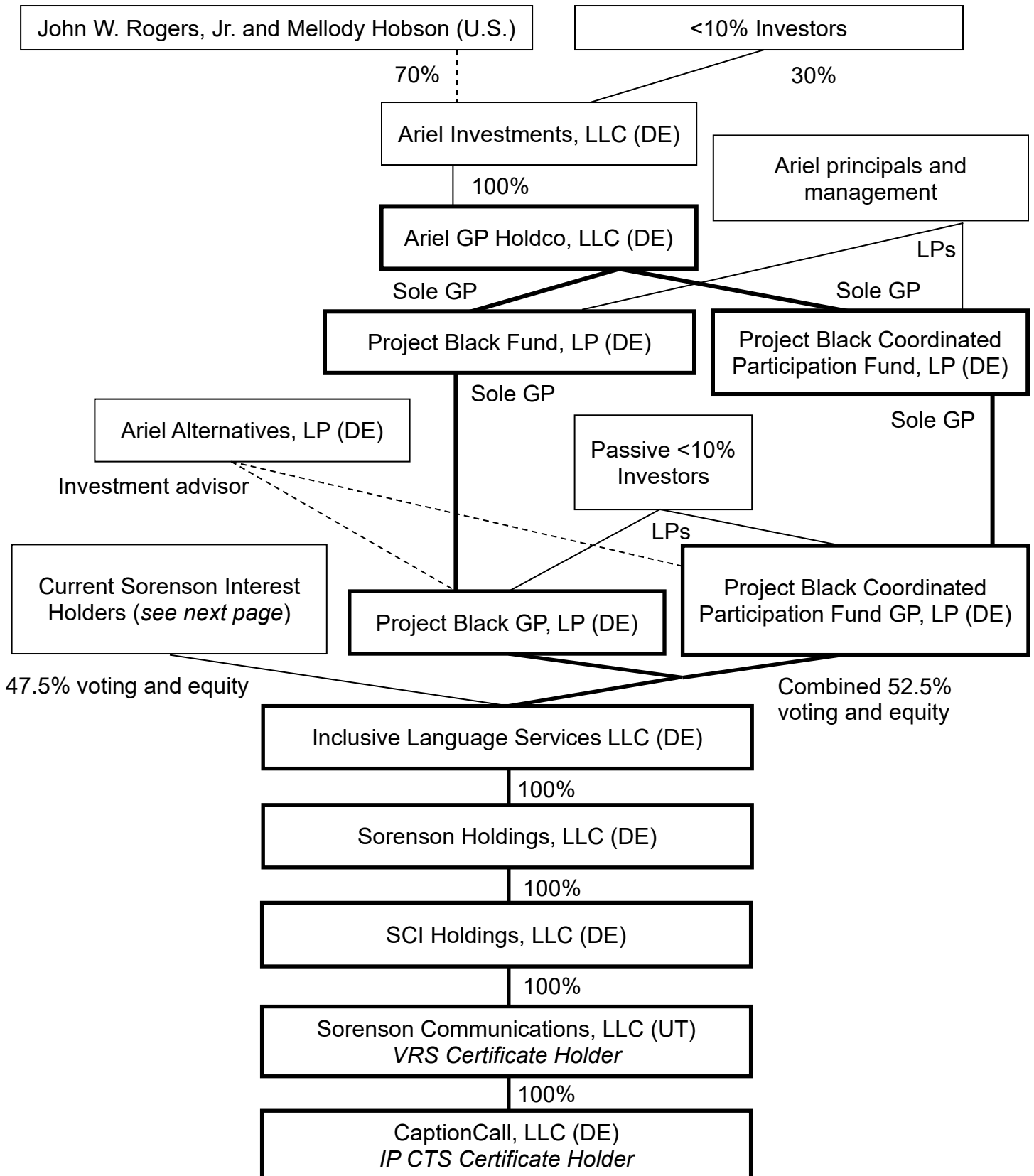
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Consultant to Ariel GP Holdco, LLC

Filed: December 10, 2021

EXHIBIT A

SORENSEN/CAPTIONCALL POST-CONSUMMATION OWNERSHIP STRUCTURE



**CURRENT SORENSON INTEREST HOLDERS
POST-CONSUMMATION OWNERSHIP STRUCTURE**

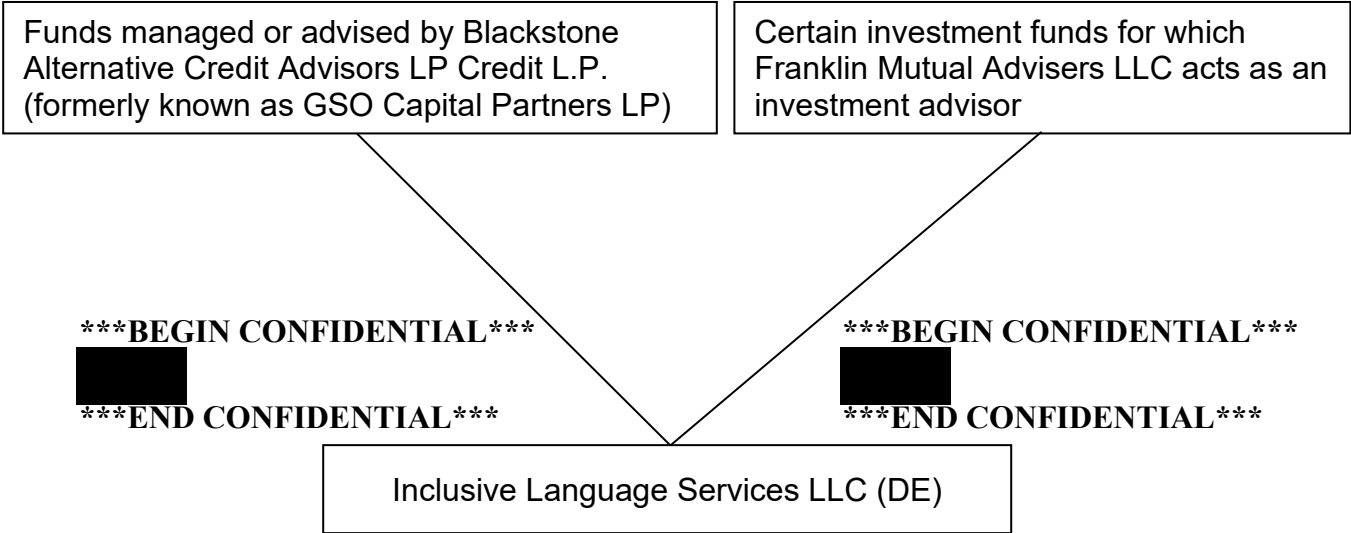


EXHIBIT B

BIOS OF JORGE RODRIGUEZ, PAGET L. ALVES, AND VONYA B. MCCANN



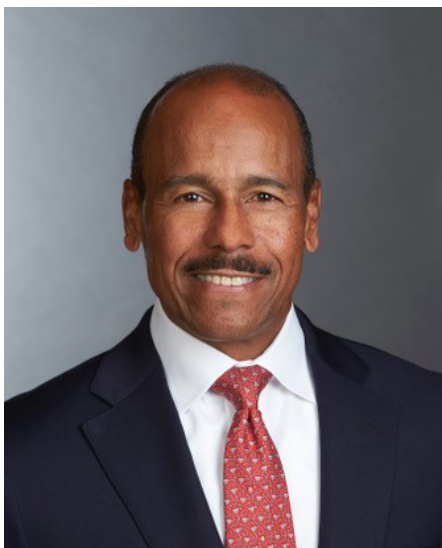
Jorge Rodriguez

***Post-Acquisition President & CEO of Sorenson and
CaptionCall***

Jorge Rodriguez most recently served as the President & CEO of multiple America Movil companies including Claro Enterprise Solutions, Telvista Inc. and Global HITSS USA; additionally, he was the senior executive responsible for the firm's global enterprise segment. Mr. Rodriguez was a critical member of the AT&T Latin America integration team which catapulted America Movil into a pan-regional operator and helped develop the firm's global expansion strategy. He was responsible for positioning the firm across key global markets, managing the international offer management, business innovation and BPO organizations, as well as leading the firm's global enterprise strategy for multinational customers. Rodriguez launched America Movil's telecommunications and IT operations in Western Europe and the U.S.A., established an integrated channel management strategy across the U.S. market, and forged strategic alliances in support of an aggressive growth strategy. Mr. Rodriguez continues to serve on the board of several America Movil companies and other external boards including the Board of Overseers for Columbia University SPS.

Rodriguez has over 30 years of telecommunications, management and international experience. Prior to joining America Movil in 2004, he held various executive positions at AT&T and AT&T Latin America including: VP Corporate Operations, Vice President of Sales and Operations and Regional Vice President. Among his many achievements at AT&T and AT&T LA, he launched startup operations across Latin America, established a fully integrated regional operation in support of Global Clients and was a Board Member of several AT&T LA operating companies in Latin America.

Rodriguez holds a M.Sc. in Technology from Columbia University, an MBA from RIT, is a graduate of Keenan Flagler's (UNC Chapel Hill) Masters Advanced Management Program and obtained his B.A. in Biology-Molecular Biology from Colgate University.



Paget L. Alves

Post-Acquisition Chairman of the Board of Sorenson

Mr. Paget L. Alves held a wide variety of leadership positions at Sprint Corp. He was the Chief Sales Officer after January 2012. Between 2008 and 2012, he served as Sprint Corp.'s President of Business Markets Group, Chief Financial Officer, and President of Sales and Distribution. Further, Mr. Alves served as Sprint Corp.'s Regional President of Sales and Distribution from September 2006 to March 2008. He also served as Sprint Corp.'s Senior Vice President, Enterprise Markets from January 2006 to September 2006, as well as its President of Strategic Markets from November 2003 to January 2006.

Prior to his time with Sprint Corp., Mr. Alves served as the President and Chief Operating Officer at Centennial Communications Corp. from March 2002 to January 2003. Mr. Alves also served as the President and Chief Executive Officer at Pointone, Inc. from June 2000 to December 2001. Further, he was a Director and Member of the Audit Committee of GTECH Holdings Corporation, and he also has been a Director of International Game Technology since January 12, 2010 and a Director of Herman Miller Inc. from September 2007 to January 2010.

Mr. Alves holds a Bachelor of Science degree in Industrial Relations from Cornell University and a Juris Doctor degree from Cornell Law School.



Vonya B. McCann

Post-Acquisition Sorenson Board Member

Vonya B. McCann was Senior Vice President, Government Affairs of Sprint Corporation from August 2009 to April 2020, when Sprint was acquired by T-Mobile. Ms. McCann was responsible for the development of Sprint's regulatory, legislative, and public policy positions at the state, federal, and international levels and for advising the CEO and other senior executives. She retired from T-Mobile in January 2021.

Before joining Sprint, Ms. McCann served as Ambassador and Deputy Assistant Secretary of State for International Communications and Information Policy, nominated by President William J. Clinton and confirmed by the U.S. Senate. In that role, she developed positions on global information technology policy, represented the U.S. in international organizations responsible for telecommunications issues, and acted as chief advocate and negotiator to advance U.S. policy objectives. During her tenure at the State Department, Ms. McCann also served as Principal Deputy Assistant Secretary for Economic and Business Affairs, which included oversight of international trade, finance, and transportation policy.

Prior to joining the Clinton Administration, Ms. McCann was a partner in the Washington, D.C. law firm of Arent, Fox, Kintner, Plotkin & Kahn, where she practiced Communications Law. She also held positions at the Federal Communications Commission and the National Telecommunications and Information Administration of the Department of Commerce.

Ms. McCann received her undergraduate degree from UCLA and a master's degree in public policy and a law degree from the University of California, Berkeley.

Ms. McCann has received a variety of awards, including the Most Influential Women in Wireless Award (ranked #3); National Eagle Leadership Institute Eagle Award; two Sprint Leadership Excellence Awards; Washington Business Journal, Women Who Mean Business Award; Women in Technology, Corporate Leadership Award; U.S. Department of State, Distinguished Honor Award; and National Association of Blacks in Telecommunications Professionals, Patrice Johnson Award for Excellence.

EXHIBIT C

**[DRAFT] APPLICATION OF CAPTIONCALL, LLC,
AS MAJORITY-OWNED AND CONTROLLED BY ARIEL GP HOLDCO, LLC,
FOR CERTIFICATION TO PROVIDE INTERNET PROTOCOL CAPTIONED TELEPHONE SERVICE**

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)
)
Telecommunications Relay Services and) CG Docket No. 03-123
Speech-to-Speech Services for Individuals)
With Hearing and Speech Disabilities)
_____)

To: Chief, Consumer and Governmental Affairs Bureau, TRS Certification Program

**[DRAFT] APPLICATION OF CAPTIONCALL, LLC,
AS MAJORITY-OWNED AND CONTROLLED BY ARIEL GP HOLDCO, LLC,
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INTERNET PROTOCOL CAPTIONED TELEPHONE SERVICE**

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Counsel to CaptionCall, LLC

Dated: [[DATE]], 2021

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I. Introduction and Summary

Pursuant to 47 C.F.R. § 64.606(a)(2) and (g) of the Federal Communications Commission’s (“FCC” or “Commission”) rules, CaptionCall, LLC (“CaptionCall”), as majority-owned and controlled by Ariel GP Holdco, LLC (“Ariel”) (CaptionCall and Ariel collectively, “Applicants”) submits this application (“Application”) for certification as a provider of Internet Protocol Captioned Telephone Service (“IP CTS”) eligible for compensation from the Interstate Telecommunications Relay Service Fund (“TRS Fund”).

Since 2011, CaptionCall and its parent company and IP CTS-certified predecessor Sorenson Communications, LLC (“Sorenson”) have provided award-winning IP CTS and earned a reputation for quality, reliability, and efficiency. Indeed, while acting pursuant to Sorenson’s certification, CaptionCall established a proven record of meeting and exceeding the Commission’s minimum standards. CaptionCall has continued this record since Sorenson transferred its IP CTS conditional certification to CaptionCall in its own right. As of November

1, 2021, CaptionCall served ***BEGIN CONFIDENTIAL*** [REDACTED]

[REDACTED] ***END CONFIDENTIAL***

CaptionCall provides IP CTS pursuant to a conditional certification granted to CaptionCall in connection with the transfer of control of Sorenson (and its subsidiary CaptionCall) to Ariel.¹ Prior to that, CaptionCall provided IP CTS pursuant to a conditional certification transferred to CaptionCall by Sorenson on December 1, 2020.² Sorenson's most recent IP CTS conditional certification was granted by the Commission's Consumer and Governmental Affairs Bureau ("CGB") in April 2014.³ In addition, CGB granted CaptionCall in August 2021 conditional certification to provide IP CTS on a fully automatic basis using automatic speech recognition ("ASR") technology to produce captions for telephone calls without the participation of a communications assistant ("CA").⁴

By offering consumers cutting-edge IP CTS applications and associated equipment, by operating a network of sixteen captioning centers and remote work capabilities, and by training and employing highly skilled CAs, CaptionCall has already demonstrated its commitment to

¹ [[ADD CITE]] ("*Ariel Certification Order*").

² See Letter from Diane Burstein, Deputy Chief, CGB, to John T. Nakahata, Counsel for Sorenson, CG Docket Nos. 10-51 and 03-123 (Dec. 11, 2020), <https://docs.fcc.gov/public/attachments/DOC-368712A1.pdf>.

³ *Notice of Grant of Conditional Certification for Sorenson Communications, Inc., as Reorganized Pursuant to Chapter 11, to Provide Internet-Based Telecommunications Relay Services Pending Commission Action on Sorenson's Application for Certification*, Public Notice, 29 FCC Rcd 4111 (CGB 2014) ("*2014 Certification Order*"). Prior to 2014, Sorenson had held a conditional certification under its previous ownership.

⁴ See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, CG Docket No. 03-123, DA 21-1080 (CGB rel. Aug. 31, 2021), <https://docs.fcc.gov/public/attachments/DA-21-1080A1.pdf>. ("*ASR Certification*") (certification granted for a period not to exceed two years, pending further verification that the ASR-based service complies with the Commission's mandatory minimum standards).

working closely with the hard-of-hearing community to ensure that its communications services continue to meet their needs. CaptionCall always strives to reduce and nearly eliminate waiting time for captions to begin, frequently limiting it to the time for the user to dial a call. Recent industry surveys confirm that CaptionCall provides industry-leading captioning services.

CaptionCall's phones have been designed to be simple to use, but with a high-quality display to make the captions easy to read. CaptionCall has recognized that its users may need different accommodations for some calls and not for others, so it gives its users the ability to turn captions on and off. In addition, CaptionCall's phones utilize enhanced amplification that meets the ITU TIA-4953 and TIA-1083 amplification standards for mild, moderate, and severe levels of hearing loss and hearing aid compatibility independent of the phones' captioning capability. In addition, CaptionCall's mobile application, CaptionCall Mobile, introduced in 2014, has been available throughout the U.S. since 2015. CaptionCall Mobile enables the hard-of-hearing community to make and receive captioned telephone calls on their smartphones and tablets, allowing CaptionCall's users to have the same convenience of mobility that those without hearing impairments take for granted.

CaptionCall continues to innovate with its methods of creating captions. ***BEGIN

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Moreover, as the COVID pandemic unfolded, CaptionCall made extraordinary efforts to keep its service running and to restore service levels as call volume substantially increased. At the start of the COVID pandemic, CaptionCall had no CAs working from home, and the

pandemic reduced the number of CAs willing and able to come to work in call centers.

Facilitated by the Commission's COVID waivers, CaptionCall rapidly modified its network to enable remote work by CAs. As a result, CaptionCall was ultimately able to bring its speed of answer back to pre-COVID levels.

II. Forms of iTRS to Be Provided (47 C.F.R. § 64.606(a)(2)(i))

Pursuant to the Commission's July 28, 2011 Order,⁵ the *2014 Certification Order*, the *Ariel Certification Order*, and the *ASR Certification Order*, CaptionCall currently provides IP CTS. CaptionCall provides captioning through the use of CAs and ASR. Over the last several months, CaptionCall has utilized ASR technology on an overflow basis when a CA is not available. This limited use of ASR has provided CaptionCall the opportunity to learn and identify ways to enhance its service.

III. Meeting Non-Waived Minimum Standards (47 C.F.R. § 64.606(a)(2)(ii))

As explained in the chart that follows, CaptionCall's service currently has policies in place to meet all the non-waived minimum standards applicable to IP CTS.⁶

⁵ *Structure and Practices of the Video Relay Service Program*, Second Report and Order and Order, 26 FCC Rcd 10898 (2011).

⁶ With respect to some of the non-waived minimum standards, the Commission's requirements are ambiguous, and the Commission has not provided additional guidance as to their meaning. In those cases, CaptionCall provides the following enumeration utilizing its understanding of the scope or substance of these requirements.

STANDARD	WAIVER	CAPTIONCALL’S COMPLIANCE
CA Training 47 C.F.R. § 64.604(a)(1)(i)	--	CaptionCall has developed a robust in-house training program in which its IP CTS CAs are instructed in depth on meeting the needs of deaf and hard-of-hearing consumers, to ensure compliance with the regulatory standards applicable to CAs, and the operational and technological aspects of CaptionCall’s services and equipment. Its CAs are trained for an average of ***BEGIN CONFIDENTIAL *** <div style="background-color: black; height: 40px; width: 100%;"></div> <div style="text-align: right;">***END</div> CONFIDENTIAL***
CA Skills 47 C.F.R. § 64.604(a)(1)(ii)	Partial waiver ⁷	As part of its robust training program, CaptionCall’s policy is to ensure that its CAs handling IP CTS calls are sufficiently skilled in typing, grammar, and spelling; ⁸ that they are familiar with hearing and speech-disability cultures and etiquette; and that they possess clear and articulate voice communications skills.
CA Typing 47 C.F.R. § 64.604(a)(1)(iii)	--	CaptionCall’s IP CTS CAs are all able to type or otherwise create captions at a rate of more than 60 words per minute (with the use of technological aids). ⁹
Gender Preference 47 C.F.R. § 64.604(a)(1)(vi)	Waived ¹⁰	--

⁷ See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Declaratory Ruling, 22 FCC Rcd 379, 391-393 ¶ 30 n.105 (2007) (“*IP CTS Waiver Order*”) (waiving in certain circumstances the requirement that IP CTS CAs are competent in interpreting written ASL).

⁸ CaptionCall does not separately assess CAs for competence in interpretation of “typewritten ASL.” The Commission has recognized that this requirement simply does not apply to IP CTS because “the user does not type the outbound message.” See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 21 FCC Rcd 9147, 9149 ¶ 4 (2006).

⁹ See *IP CTS Waiver Order* ¶ 30 n.105 (waiving in certain circumstances the requirement to test typing speeds of IP CTS CAs).

¹⁰ *IP CTS Waiver Order* ¶ 30.

STANDARD	WAIVER	CAPTIONCALL’S COMPLIANCE
Confidentiality Rule 47 C.F.R. § 64.604(a)(2)(i)	--	CaptionCall has policies in place to enforce all confidentiality requirements and bars its CAs from disclosing the content of any relayed conversation, except as authorized by 47 U.S.C. § 605, or as otherwise authorized or required by law.
Accuracy Rule 47 C.F.R. § 64.604(a)(2)(ii)	--	CaptionCall makes verbatim transcriptions of calls and bars its CAs from intentionally altering the conversations they relay. CaptionCall’s policies require that CAs terminate IP CTS calls if the CA determines both parties of the call are in the same location or if the CA determines the user is captioning a television show.
Sequential Calls 47 C.F.R. § 64.604(a)(3)(i)	Waived ¹¹	--
Call Length 47 C.F.R. § 64.604(a)(3)(i)	--	CaptionCall does not limit the length of calls.
Types of Calls 47 C.F.R. § 64.604(a)(3)(ii)	Conditional exemption ¹²	CaptionCall’s users can make and receive any type of call they choose, either through their own selected carrier or utilizing an all-distance, over-the-top VoIP service that CaptionCall purchases from a third-party VoIP provider and integrates into its IP CTS.
Two-line VCO, VCO-to-TTY, and VCO-to-VCO 47 C.F.R. § 64.604(a)(3)(v)(B)	--	CaptionCall supports VCO. ¹³

¹¹ See *IP CTS Waiver Order* ¶ 30 n.105 (waiving in certain circumstances the requirement that IP CTS CAs may not refuse sequential calls).

¹² See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Waivers of iTRS Mandatory Minimum Standards*, Report and Order, Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, 29 FCC Rcd 10697 ¶¶ 11-15 (2014) (“*2014 Waiver Order*”).

¹³ The Commission has concluded that “calls between two captioned telephone relay users are essentially a form of VCO-to-VCO and, accordingly, that a waiver of the VCO-to-VCO requirement is unnecessary for IP CTS and CTS providers.” *2014 Waiver Order* ¶ 49.

STANDARD	WAIVER	CAPTIONCALL’S COMPLIANCE
Speed Dialing 47 C.F.R. § 64.604(a)(3)(vi)(B)	--	CaptionCall offers speed dialing capability through a user’s IP CTS access technology (either the CaptionCall endpoint or the CaptionCall Mobile application).
Three-way Calling 47 C.F.R. § 64.604(a)(3)(vi)(C)	--	CaptionCall meets the three-way-calling requirement by ensuring that its CAs handle a three-way call arranged by the hearing party just as they would handle any other call. ¹⁴ CaptionCall Mobile allows customers to participate in three-way calls that are initiated by another party to the call. CaptionCall Mobile customers cannot currently initiate a three-way call, as the application does not currently have a flash-hook feature.
Voice Mail 47 C.F.R. § 64.604(a)(3)(vii) & (viii)	--	<p> CaptionCall offers “answering machine” mode on its fixed endpoints, which allows customers to see captions when listening to messages that are recorded on a stand-alone answering machine. CaptionCall’s 67T series and 78T series fixed endpoints additionally provide a built-in answering machine feature, which allows customers to see captions during voice message playback. </p> <p> CaptionCall Mobile provides built-in voice mail service to the customer’s assigned phone number. Voice messages can be captioned when they are retrieved. </p>

¹⁴ The Commission has stated that TRS providers satisfy the three-way calling requirement if they “ensure that the TRS facility or CA facilitates or handles a three-way call, as the CA would handle any TRS call, where and to the extent the three-way call has been arranged by any one of the parties to the call, *e.g.*, using a party’s LEC-provided custom calling service (CCS), by bridging two telephone lines via customer terminal equipment, or by some other means.” *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 20 FCC Rcd 3689, 3691 ¶ 8 (2005). The Commission has further clarified “that TRS providers are not required to be able to arrange, initiate, or set up a three-way call (but they may do so) . . . so long as the provider is able to handle or facilitate a three-way call, in some manner, whether initiated by one of the parties to the call *or* set up by the provider.” *Id.*

STANDARD	WAIVER	CAPTIONCALL'S COMPLIANCE
Speed of Answer for IP CTS 47 C.F.R. § 64.604(b)(2)(ii)	--	As reflected in its monthly data submissions to the TRS Fund Administrator, CaptionCall's IP CTS routinely exceeds the speed-of-answer requirement that 85% of all calls are answered within 10 seconds measured daily, except as otherwise waived by the FCC's COVID-19 waivers. ¹⁵ CaptionCall meets the applicable speed of answer requirement as modified by the waivers. CaptionCall reports the data the TRS Fund Administrator requests to monitor speed of answer.

¹⁵ See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, Order, 35 FCC Rcd 2715 (CGB 2020) (“*March 16 TRS Waiver Order*”) (temporarily granting conditional waivers of (1) certain regulations governing at-home VRS call handling and (2) speed-of-answer requirements for other forms of TRS); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, Order, 35 FCC Rcd 3018 (CGB 2020) (“*April 3 TRS Waiver Order*”) (temporarily waiving rule prohibiting VRS providers from contracting for interpretation services with non-VRS certified entities); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, Order, 35 FCC Rcd 4894 (CGB 2020) (“*May 14 TRS Waiver Order*”) (extending and modifying previously granted COVID-19 waivers); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, Order, 35 FCC Rcd 6432 (CGB 2020) (“*June 22 TRS Waiver Order*”) (extending previously granted COVID-19 waivers); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, Order, 35 FCC Rcd 9783 (CGB 2020) (“*August 26 TRS Waiver Order*”) (extending all previously granted COVID-19 waivers through Nov. 30, 2020); *Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, 35 FCC Rcd 10866, 10893 ¶ 54 (2020) (“*Oct 2 TRS Waiver Order*”) (extending previously granted COVID-19 waivers through Feb. 28, 2021); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure & Practices of the Video Relay Service Program*, Order, DA No. 21-195, CG Docket Nos. 03-123, 10-51 (CGB rel. Feb. 18, 2021) (extending waivers until August 31, 2021); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure & Practices of the Video Relay Service Program*, Order, DA No. 21-1064, CG Docket Nos. 03-123, 10-51 (CGB rel. Aug. 27, 2021) (extending waivers until Dec. 31, 2021).

STANDARD	WAIVER	CAPTIONCALL'S COMPLIANCE
Redundancy 47 C.F.R. § 64.604(b)(4)(ii)	--	CaptionCall's operations include multiple redundancy features and safeguards, including emergency generators to ensure uninterruptable power for emergency use.
Caller ID 47 C.F.R. § 64.604(b)(6)	--	For IP CTS calls using CaptionCall's fixed end points, the customer's underlying carrier, not the IP CTS provider, handles all call routing and passes through data to the interconnecting carrier. Accordingly, CaptionCall is not in a position as a matter of call architecture to pass through any IP CTS call or numbering data. When a user utilizes a CaptionCall-supplied over-the-top VoIP capability integrated into its IP CTS service, CaptionCall passes the caller's caller ID data to the interconnecting carrier.
Complaint Logs and Procedures 47 C.F.R. §§ 64.604(c)(1)&(6); 64.606(a)(2)(iii)	--	CaptionCall's policies require that it maintain logs of all complaints it receives that allege violations of the federal TRS mandatory minimum standards. The logs include the date the complaint was filed, the nature of the complaint, the date of resolution, and the nature of resolution. CaptionCall's complaint procedures are detailed in Section X below.
Complaint Contact Point 47 C.F.R. § 64.604(c)(2)	--	CaptionCall's contact person for IP CTS consumer information and complaints is: <div style="text-align: center;"> Michael Maddix Director of Government & Regulatory Affairs 4192 South Riverboat Road Salt Lake City, UT 84123 Voice: (801) 287-9461 Fax: (801) 287-9401 Email: mmaddix@sorenson.com </div>
Publicity regarding iTRS 47 C.F.R. § 64.604(c)(3)	--	The obligation to publicize the availability of TRS is imposed on carriers rather than TRS providers.

STANDARD	WAIVER	CAPTIONCALL’S COMPLIANCE
Rates 47 C.F.R. § 64.604(c)(4)	--	CaptionCall does not charge its customers for its IP CTS.
Cost Information and Other Data Submissions 47 C.F.R. § 64.604(c)(5)	--	CaptionCall maintains and submits required cost data and other data to the FCC and to the TRS Fund Administrator.
Whistleblower Notice 47 C.F.R. § 64.604(c)(5)(iii)(M)	--	CaptionCall has provided a complete description of the iTRS whistleblower protections to all its employees. CaptionCall includes instructions for reporting noncompliance as part of its TRS Compliance Manual, TRS Compliance Training, and employee handbook. This includes the URL and phone number for the FCC’s whistleblower hotline.
TRS Customer Information 47 C.F.R. § 64.604(c)(7)	Partially vacated ¹⁶	It is CaptionCall’s policy that neither CaptionCall nor its employees may sell, distribute, share, or reveal its subscribers’ customer profile data unless compelled by law to do so or unless permitted by the Commission’s rules.
No Incentives to Use IP CTS 47 C.F.R. § 64.604(c)(8)	--	CaptionCall’s policy prohibits its officers, directors, employees, contractors, and agents from offering or providing to any person or entity that registers to use IP CTS any form of direct or indirect incentives, financial or otherwise, to register for or use IP CTS. CaptionCall’s policy also prohibits its officers, directors, employees, contractors, and agents from offering or providing to a hearing health professional any direct or indirect incentives, financial or otherwise, that are tied to a consumer's decision to register for or use IP CTS. CaptionCall’s policies do not permit it to have joint marketing arrangements with any hearing health professionals. ¹⁷

¹⁶ *Sorenson Commc’ns, Inc. v. FCC*, 567 F.3d 1215, 1223, 1225-27 (10th Cir. 2009) (ordering FCC to vacate upon remand, on First Amendment grounds, the prohibition on TRS providers using customer data “for lobbying or any purpose” other than the handling of TRS calls).

¹⁷ *Sorenson Communications, LLC and CaptionCall, LLC*, Order, DA 21-1488 (EB rel. Dec. 3, 2021) (“*Compliance Plan*”).

STANDARD	WAIVER	CAPTIONCALL'S COMPLIANCE
<p>IP CTS Equipment Label</p> <p>47 C.F.R. § 64.604(c)(11)(iii)</p>	<p>--</p>	<p>It is CaptionCall policy that all IP CTS equipment it distributes is labeled with the following statement: “FEDERAL LAW PROHIBITS ANYONE BUT REGISTERED USERS WITH HEARING LOSS FROM USING THIS DEVICE WITH THE CAPTIONS ON.” Under CaptionCall’s policies, this label must be distributed to consumers who have obtained CaptionCall equipment without the label. For consumers of CaptionCall software, this language appears the first time the consumer logs into the application, or any time the consumer subsequently logs out and back in.</p> <p>CaptionCall’s policies require that it maintains, with each consumer’s registration records, records describing any IP CTS equipment provided, directly or indirectly, to such consumer, and stating the amount paid for such equipment.</p> <p>Effective September 18, 2013, it has been CaptionCall’s policy that trainers must affix the label required by 47 C.F.R. § 64.604, which is included in the packaging with all equipment, prior to providing the equipment to consumers. Accordingly, by maintaining records of the date on which equipment was provided to the consumer, CaptionCall maintains a record of whether the required label was affixed to equipment prior to its provision to the consumer. For consumers who received CaptionCall IP CTS equipment prior to September 18, 2013, it is CaptionCall’s policy to maintain a list of all consumers to whom it mailed labels and the date on which the labels were mailed.</p>

STANDARD	WAIVER	CAPTIONCALL'S COMPLIANCE
Emergency Call Handling	--	<p>CaptionCall's policy is to provide emergency calling service in full compliance with the FCC's rules. For IP CTS calls using a hard endpoint, it is CaptionCall's policy to provide captioning for emergency calls, and the customer's underlying carrier handles call routing and delivery to and from the PSAP.</p> <p>For all CaptionCall Mobile customers, it is CaptionCall's policy to collect Registered Location information. For 911 calls placed through the CaptionCall Mobile service, CaptionCall's policy is to transmit the call, as well as ANI and the caller's Registered Location, to the PSAP, designated statewide default answering point, or Appropriate Local Emergency Authority that serves the caller's Registered Location. CaptionCall's policy is also to place 911 calls in the queue ahead of other calls. Whenever possible, CaptionCall Mobile 911 calls are routed through the use of ANI and, if necessary, pseudo-ANI, and the caller's Registered Location is available to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority from or through the appropriate ALI database.</p>
Speech-to-Speech Service	Waived ¹⁸	--
Impermissible Use of CPNI 47 C.F.R. §§ 64.5105, 5107, 5108, 5109, 5110	--	<p>CaptionCall has adopted a detailed policy governing the use of CPNI in order to ensure compliance with the Commission's CPNI rules. As required by 47 C.F.R. § 5109(e), CaptionCall is attaching its annual CPNI compliance certification, which includes a statement explaining how CaptionCall's operating procedures ensure that it is in compliance with the CPNI rules.¹⁹</p>
IP CTS settings 47 C.F.R. § 64.604(c)(10)	--	<p>Each IP CTS telephone CaptionCall distributes includes a button or icon that is clearly marked and easy to use, which allows the consumer to turn captioning on. Amplification and other volume control features can be adjusted separately and independently of the captions.</p>

¹⁸ *IP CTS Waiver Order* ¶ 30.

¹⁹ CaptionCall includes for reference as Exhibit 4 to this Application CaptionCall's most recent CPNI Certification and Statement of Operating Procedures.

STANDARD	WAIVER	CAPTIONCALL'S COMPLIANCE
<p>Marketing Disclosure</p> <p>47 C.F.R. § 64.604(c)(11)(v)</p>	<p>--</p>	<p>CaptionCall's policies require that all covered materials and webpages providing information about IP CTS and the availability of IP CTS equipment prominently display the following language in a legible font: "FEDERAL LAW PROHIBITS ANYONE BUT REGISTERED USERS WITH HEARING LOSS FROM USING INTERNET PROTOCOL (IP) CAPTIONED TELEPHONES WITH THE CAPTIONS TURNED ON. IP Captioned Telephone Service may use a live operator. The operator generates captions of what the other party to the call says. These captions are then sent to your phone. There is a cost for each minute of captions generated, paid from a federally administered fund."</p>

STANDARD	WAIVER	CAPTIONCALL'S COMPLIANCE
<p>Prohibited Practices</p> <p>47 C.F.R. § 64.604(c)(13)</p>	<p>--</p>	<p>CaptionCall's policies prohibit its engagement in any practice that it knows or has reason to know will cause or encourage false or unverified claims for TRS Fund compensation, unauthorized use of IP CTS, the making of IP CTS calls that would not otherwise be made, or the use of IP CTS by persons who do not need the service in order to communicate in a functionally equivalent manner.</p> <p>Moreover, CaptionCall has developed and continues to review and strengthen its regulatory compliance plan that includes policies, procedures, and practices for complying with the Communications Act, TRS Rules, and Commission Orders and preventing fraud, waste, and abuse of the TRS Fund.²⁰</p> <p>CaptionCall's policies require that, if CaptionCall determines that one or more of its employees have committed a violation, the company will take appropriate disciplinary action. Those policies further require that, if CaptionCall knows that minutes are not eligible for compensation for any of the above listed reasons, or because an individual does not need captions to communicate in a functionally equivalent manner, it will not seek payment from the TRS Fund. And if CaptionCall becomes aware that any of the above-listed practices are being or have been committed by any person, CaptionCall's policy is to, as soon as practicable, report such practices to the Commission or TRS Fund Administrator.</p>

IV. Entities with Ownership/Control Interests (47 C.F.R. § 64.606(a)(2)(ii)(B))

Section 64.606(a)(2)(ii)(B) of the Commission's rules requires applicants to list all "individuals or entities that hold at least a 10 percent equity interest in the applicant, have the power to vote 10 percent or more of the securities of the applicant, or exercise de jure or de facto control over the applicant."

²⁰ See *Compliance Plan*.

CaptionCall, which is a Delaware limited liability company, is wholly owned and controlled by Sorenson, a Utah-organized limited liability company, which, in turn, is wholly owned and controlled by SCI Holdings, LLC (“SCI Holdings”), a Delaware-organized limited liability company. SCI Holdings is wholly owned and controlled by Sorenson Holdings, LLC (“Sorenson Holdings”), a Delaware-organized limited liability company. Sorenson Holdings is wholly owned and controlled by Delaware-organized limited liability company Inclusive Language Services, LLC (“ILS”). ILS is indirectly controlled by Ariel, which indirectly owns and controls approximately 52.5 percent of the voting and equity interests in ILS.

Ariel is an affiliate of Ariel Investments, LLC (“Ariel Investments”) and Ariel Alternatives, LLC (“Ariel Alternatives”), both of which are Delaware-organized limited liability companies. Founded in 1983, Ariel Investments is a global value-based asset management firm.²¹ Launched in February 2021, Ariel Alternatives is a private asset management firm affiliated with Ariel.²² Ariel Alternatives’ mission is to scale sustainable minority-owned business enterprises. The address for Ariel, Ariel Investments, and Ariel Alternatives currently is 200 E. Randolph Street, 29th Floor, Chicago, Illinois, and its telephone number is (312) 612-2600.²³

Ariel holds its interest in ILS through two Ariel-affiliated investment funds, Project Black Fund, LP (“Project Black Fund”), a Delaware-organized limited partnership, and Project Black Coordinated Participation Fund, LP (“PBCP Fund”), also a Delaware-organized limited

²¹ See Ariel Investments, <https://www.arielinvestments.com/> (last visited Dec. 7, 2021).

²² See Ariel Alternatives, *About Ariel Alternatives’ Project Black*, <https://arielalternatives.com/about/> (last visited Dec. 7, 2021); Ariel Alternatives, *Form ADV, Part 2A*, <https://www.arielinvestments.com/adv2> (last visited Dec. 7, 2021).

²³ Within the coming year, Ariel Alternatives will be relocating its offices to New York City.

partnership. Collectively, the two funds hold an approximately 52.5 percent direct voting and equity interests in ILS. Ariel Alternatives²⁴ serves as the investment advisor to both Project Black Fund and PBCP Fund.

The sole general partner of the Project Black Fund is Project Black GP, LP (“Project Black GP”), a Delaware-organized limited partnership, and the sole general partner of the PBCP Fund is Project Black Coordinated Participation Fund GP, LP (“PBCP GP”), a Delaware-organized limited partnership. Ariel is the sole general partner of both Project Black GP and PBCP GP. The limited partner investors in Project Black Fund, PBCP Fund, Project Black GP, and PBCP GP hold no material voting interests in these limited partnerships, and no single such limited partner investor will hold a direct or indirect aggregate voting or equity interest in CaptionCall of 10 percent or more.

The sole member of Ariel is Ariel Investments, which wholly owns and controls Ariel. Two U.S. citizens control Ariel Investments: John W. Rogers, Jr. and Mellody Hobson. Through their direct interest in Ariel Investments and through their interests in Ariel Capital Management Holdings, Inc. (“Ariel Capital”), an Illinois corporation that holds an approximately 47 percent interest in Ariel Investments, Mr. Rogers and Ms. Hobson collectively hold an approximately 70 percent interest in Ariel Investments. No other individual or entity holds a direct or indirect aggregate 10 percent or greater voting or equity interest in Ariel Investments, or in Sorenson or CaptionCall through Ariel Investments, and more than 99 percent of Ariel Investments is held by U.S. individuals or entities.

²⁴ See Ariel Alternatives, *Form ADV, Part 2A*, <https://www.arielinvestments.com/adv2> (last visited Dec. 7, 2021).

Ariel controls, and Project Black Fund and PBCP Fund hold, approximately 52.5 percent of the issued and outstanding voting equity of ILS, which, in turn, wholly owns and controls Sorenson Holdings and therefore Sorenson and CaptionCall. This voting control of ILS provides Ariel with *de jure* and *de facto* control of Sorenson and CaptionCall. As the holder of a majority of ILS' voting equity, Ariel holds the exclusive right to appoint a majority of ILS' board of managers, as well as the Chairman of ILS' board. The ILS board of managers, in turn, exclusively controls the business and affairs of ILS, including control of ILS' controlling interest in Sorenson Holdings, Sorenson, and CaptionCall.

There are two non-controlling minority interest holders in ILS that hold aggregate direct or indirect equity and voting interests of at least 10 percent:

- Certain funds managed or advised by Blackstone Alternative Credit Advisors LP Credit L.P., formerly known as GSO Capital Partners LP, ***BEGIN

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***END

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- Certain investment funds for which Franklin Mutual Advisers LLC acts as an investment advisor ***BEGIN CONFIDENTIAL***

END CONFIDENTIAL

A copy of a diagram presenting CaptionCall's organizational structure is attached as Exhibit 1.

V. Description of Organizational Structure (47 C.F.R. § 64.606(a)(2)(ii)(B))

Section 64.606(a)(2)(ii)(B) of the Commission’s rules requires applicants to describe their organizational structure. A copy of a diagram presenting CaptionCall’s organizational structure is attached as Exhibit 1.

VI. Names of Executives, Officers, Members of Board (47 C.F.R. § 64.606(a)(2)(ii)(B))

Section 64.606(a)(2)(ii)(B) of the Commission’s rules requires applicants to provide “the names of its executives, officers, members of its board of directors, general partners (in the case of a partnership), and managing members (in the case of a limited liability company).”

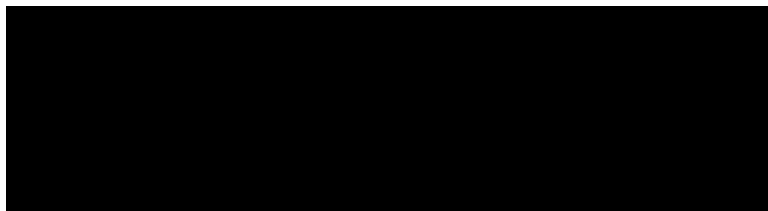
Sorenson directly wholly owns and controls CaptionCall and is its only member. Sorenson, in turn, is indirectly controlled by ILS. The names of the executives, officers, and board members of Sorenson, Caption Call, and ILS are included in Exhibit 2.

VII. Number of TRS Employees (47 C.F.R. § 64.606(a)(2)(ii)(C))

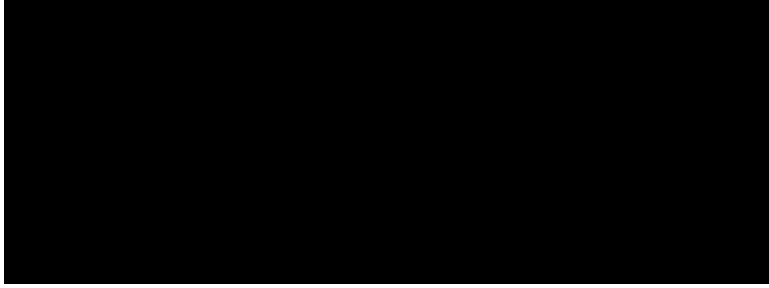
Section 64.606(a)(2)(ii)(C) of the Commission’s rules requires IP CTS applicants to provide “a list of the number of applicant’s full-time and part-time employees involved in TRS operations, including and divided by the following positions: executives and officers, . . . communications assistants, and persons involved in marketing and sponsorship activities.”

The following information required by Section 64.606(a)(2)(ii)(C) of the Commission’s rules replaces prior submitted information (effective November 1, 2021):

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²⁵ As shown in Exhibit 2, eleven executives have responsibilities for both Sorenson’s VRS and CaptionCall’s IP CTS.



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VIII. List of Sponsorship Agreements (47 C.F.R. § 64.606(a)(2)(ii)(E))

Section 64.606(a)(2)(ii)(E) of the Commission’s rules requires applicants to provide “a list of all sponsorship arrangements relating to Internet-based TRS, including on that list a description of any associated written agreements.”

A copy of CaptionCall’s list of 2021 sponsorship agreements between November 1, 2020 and October 31, 2021 is attached as Exhibit 3. For each sponsorship agreement on the list, there is a written document, ranging from a one-page email for simple sponsorships to documents a few pages long for more extensive sponsorships, specifying the amount of the contribution and the terms under which the contribution will be made.

IX. Provider Compliance with Eligibility Requirements (47 C.F.R. § 64.606(a)(2)(ii)(F))

As required by 47 C.F.R. § 64.606(a)(2)(ii)(F), CaptionCall hereby describes the measures it takes to ensure it does not and will not request or collect payment from the TRS Fund for service to consumers who do not satisfy the relevant registration and certification requirements in the rules²⁷ and an explanation of how these measures provide such assurance.²⁸

²⁶ **BEGIN CONFIDENTIAL**

END CONFIDENTIAL

²⁷ 47 C.F.R. §§ 64.611(j)(1)-(2).

²⁸ CaptionCall currently operates under a consent decree and compliance plan that mandates certain registration procedures and record retention obligations. *Sorenson Communications, LLC and CaptionCall, LLC*, Order, DA 21-1488 (EB rel. Dec. 3, 2021) (“*Compliance Plan*”).

It is CaptionCall's policy to require all prospective subscribers to provide their name, address, telephone number, date of birth, and the last four digits of their social security number. For customers who do not have a social security number, CaptionCall's policy is to collect a Tribal Identification number or obtain physical or electronic copies of at least one of the identification confirming documents listed in the *2015 Waiver Order*.²⁹ In compliance with the Commission's IP CTS registration rules, CaptionCall's policies prohibit the billing of service for new customers who have not provided their name, address, telephone number, date of birth, and last four social security digits (or alternative information permitted by the *2015 Waiver Order*). Before requesting compensation from the Administrator, it is CaptionCall's policy to remove minutes of use associated with any existing customer who has not complied with the applicable registration rules. By scrubbing ineligible minutes from its compensation submissions, CaptionCall's policies ensure that it does not request compensation for minutes of use associated with customers who do not comply with the Commission's registration requirements.

For wireless and web applications that do not require a public switched telephone network or interconnected VoIP service in the United States for the voice component of IP CTS, to establish that the user is located in the United States, for those consumers who cannot provide either the last four digits of a Social Security number or a Tribal identification card number, it is CaptionCall's policy to obtain physical or electronic copies of at least one of the address-verifying documents listed in the *2015 Waiver Order* prior to registering the user for IP CTS.

²⁹ See *Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 30 FCC Rcd 1093 (2015) ("*2015 Waiver Order*").

It is CaptionCall's policy that all prospective customers submit a self-certification that complies with the requirements of the Commission's rules.³⁰ In compliance with the Commission's certification rules, CaptionCall's policies prohibit the billing of service for customers who have not submitted a self-certification that complies with the requirements of the rules. Before requesting compensation from the Administrator, it is CaptionCall's policy to remove minutes of use associated with any existing customer who has not complied with the applicable self-certification rules. By only billing for service for customers who have provided the required self-certification, and by scrubbing ineligible minutes from its compensation submissions, CaptionCall's policies ensure that it does not request compensation for minutes of use associated with customers who do not comply with the Commission's self-certification requirements.

It is CaptionCall's policy that records of any registration and certification information are maintained for a period of at least five years after the consumer ceases to obtain service, and that the Company does not disclose such registration and certification information or the content of such registration and certification information except as required by law or regulation.³¹

X. Description of Complaint Procedures (47 C.F.R. § 64.606(a)(2)(iii))

CaptionCall directs users and employees to report complaints through the email address support@captioncall.com or by phone at 877-557-2227. In accordance with its internal policies, CaptionCall applies the following process to complaints it receives related to its services.

*****BEGIN CONFIDENTIAL*****

[REDACTED]

³⁰ See 47 C.F.R. §§ 64.611(j)(1)-(2).

³¹ See 47 C.F.R. § 64.611(j)(1)(xii); *Compliance Plan*.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

END CONFIDENTIAL

XI. Statement Regarding Annual Compliance Reports (47 C.F.R. § 64.606(g))

Pursuant to 47 C.F.R. § 64.606(g), CaptionCall states that it will file annual compliance reports demonstrating continued compliance with the Commission’s rules governing Telecommunications Relay Service.

XII. Certification

Pursuant to 47 C.F.R. § 64.606(g)(2), the declaration of Steven Fredley is attached as an addendum to this submission.

XIII. List of Exhibits

CaptionCall is submitting the following addenda and exhibits:

- Addendum 1 Declaration of Steven Fredley
- Addendum 2 Sorenson and CaptionCall Regulatory Compliance Plan

- Addendum 3 CaptionCall CPNI Certification and Statement of Operation Procedures
- Exhibit 1 Updated Organizational Structure
- Exhibit 2 Updated List of Directors and Officers
- Exhibit 3 Updated List of Sponsorship Agreements

XIV. Conclusion

CaptionCall has demonstrated compliance with the requirements for certification. Moreover, consumers are best served by certifying CaptionCall, as controlled by Ariel, to continue providing IP CTS. The application should be granted.

Respectfully submitted,

John Nakahata
Harris, Wiltshire & Grannis LLP
1919 M Street NW, Eighth Floor
Washington, DC 20036
jnakahata@hwglaw.com
202.730.1301

Counsel to CaptionCall, LLC

Date: [[DATE]], 2021

ADDENDUM 1

DECLARATION OF STEVEN FREDLEY

Pursuant to 47 C.F.R. § 64.606(a)(v), I declare under penalty of perjury that I am Steven Fredley, Chief Compliance Officer and Deputy General Counsel of the above-named applicant, and that I have examined the foregoing submissions, and that all information required under the Commission's rules and orders has been provided and all statements of fact, as well as all documentation contained in this submission, are true, accurate, and complete to the best of my knowledge.

By: _____
Steven Fredley
Chief Compliance Officer & Deputy
General Counsel
Sorenson Holdings, LLC

Date: _____

ADDENDUM 2

SORENSEN AND CAPTIONCALL REGULATORY COMPLIANCE PLAN

As a provider of Telecommunications Relay Services (“TRS”), Sorenson Communications LLC and CaptionCall, LLC (the “Company”) are committed to full and complete compliance with the rules and regulations of the Federal Communications Commission (“FCC”). This Regulatory Compliance Plan (“Plan”) describes the Company’s policies, procedures, and practices for complying with the Communications Act (47 U.S.C. §§ 151 *et seq.*), TRS Rules (47 C.F.R. § 64.601 *et seq.*), and the FCC’s *Report and Order and Further Notice of Proposed Rulemaking*, dated June 10, 2013 (¶ 134) (together “FCC Rules”).

Compliance Department

The Company’s Compliance Department is overseen by the Company’s Chief Compliance Officer and Director of Compliance. The Chief Legal Officer chairs the Compliance Committee and is the senior officer responsible for implementing and overseeing compliance with FCC rules and this Plan. The Compliance Department develops, produces, and maintains compliance tools, reports, plans, tasks, and activities for the management of the Plan and meets regularly to ensure the compliance needs of the Company are met. The Compliance Department:

- Develops and maintains compliance policies, procedures, training materials, and compliance records;
- Performs compliance analysis and leads the development, production, and maintenance of reporting methods to detect and address compliance-related issues;
- Works with department executives to ensure knowledge of and compliance with FCC rules and the development of compliant Company policies and procedures;
- Prepares reports about compliance with Company policies and FCC rules;
- Investigates and reports compliance-related concerns to management; and
- Monitors any corrective or preventive actions related to compliance.

The Compliance Department has the authority to monitor ongoing Company activities as they relate to FCC rules, and has unlimited access to all Company files, records, and information needed to fulfill its responsibilities. This includes the right to interview Company employees in connection with potential instances of noncompliance. The Compliance Department has access to sufficient internal and external resources to execute its compliance duties, including in-house and outside counsel.

The Company’s Compliance Committee is composed of department executives from across the Company, including engineering, information systems, operations, outreach, marketing, finance, and in-house counsel. The committee meets regularly to review any FCC-related issues, including regulatory changes and any compliance related policies or procedures.

Compliance Manual

With the assistance of counsel, the Compliance Department has developed and adopted a TRS Compliance Manual (“Compliance Manual”). The Compliance Manual is distributed to all

Company personnel in conjunction with the Company's annual FCC compliance training. An electronic copy of the Compliance Manual is also posted on the Company's internal intranet site in the compliance section and accessible by all Company employees. The Compliance Department has responsibility for revising and updating the Compliance Manual, in consultation with in-house and outside counsel, to maintain compliance with all FCC rules.

Compliance Training

Working with the necessary Company departments, the Compliance Department has developed and implemented training about the Company's Compliance Manual and department-specific policies and procedures for compliance with FCC rules. The Chief Compliance Officer reviews and approves all training materials, ensures all training is completed, and coordinates training updates to address any changes to FCC rules or Company policies and procedures.

Annual Employee Training:

The Company requires all employees to complete compliance training annually. The training is conducted online through the Company's learning management system. Upon completion of the training, employees sign an electronic acknowledgment indicating receipt of the Compliance Manual and completion of compliance training. The acknowledgements are tracked and maintained by the Company.

New Hire Training:

All new employees receive compliance training within thirty (30) days of their start date. For every hiring period, the Company's human resources manager provides the Compliance Department a list of new employees. The list includes each new employee's start date, the employee's department, and the employee's supervisor. The Compliance Department maintains that information in order to track the completion of new-hire compliance training, which is conducted online through the Company's learning management system.

Training Updates:

The Compliance Department coordinates training of employees when a rule change impacts TRS services. If necessary to address the rule change, the Compliance Department identifies the affected departments and works with the departments to modify existing policies and procedures or create new ones. The Compliance Department reviews and approves all new FCC-related policies and procedures. The Compliance Department ensures that departments impacted by the new policy or procedure train their staff accordingly.

Compliance Reporting Mechanisms

The Company has several mechanisms for employees to report noncompliance with FCC rules, including any fraud, waste, or abuse. Each of these is described in the Compliance Manual and Whistleblower Policy and also is explained to employees as part of their annual compliance training.

To report any compliance concern, employees may contact their department supervisor or executive officer, who are then instructed to contact the Compliance Department. Alternatively, employees may contact an “Ethics Hotline” anonymously through a toll-free number. Employees may also email the Compliance Department directly via a dedicated email address. The Compliance Department monitors the ethics hotline and the compliance email inbox. The Director of Compliance is responsible for responding to concerns, including elevating them to the Chief Compliance Officer, Chief Legal Officer, and/or the Compliance Committee, as appropriate.

The Compliance Manual and Whistleblower Policy informs employees that they have the right to report compliance concerns to the FCC’s Office of Inspector General and provides the website address and hotline phone number to make such reports.

The Company does not tolerate retaliatory conduct. Employees are informed in the Compliance Manual, Whistleblower Policy, and in their training that the Company will never take action against employees for reasonably reporting information related to potential compliance violations.

Monitoring and Auditing Compliance with FCC Rules

The Compliance Department regularly monitors and audits Company departments regarding compliance with FCC rules and will make any necessary changes to the Compliance Plan in response to these evaluations. The following describes the Company’s (1) monthly review and audit of minutes for submission to the TRS Fund Administrator and (2) review process for departmental compliance.

(1) Monthly Review of Minutes

Each month, the Company conducts a multi-department (Finance, Engineering, IT, Outreach, and Compliance) review of that month’s billing submission prior to its submission to the TRS Fund Administrator. As part of this monthly review process, members of the Company’s billing team ensure the billing submission conforms with the FCC’s rules and the TRS Fund Administrator’s instructions. The IT and engineering departments maintain detailed operating procedures that document the monthly submission preparation and review process.

(2) Compliance Department Audits

The Compliance Department is responsible for conducting compliance reviews to help minimize risk to the organization and strengthen internal controls. The internal audit process: (1) identifies risks within departments that relate to compliance with FCC rules; (2) ensures that departments have specific procedures in place to comply with relevant FCC rules; (3) reviews department activities to ensure that procedures and processes are being followed; (4) provides feedback and remedial action items following the reviews; and (5) monitors and enforces completion of action items. The Compliance Department conducts periodic reviews of all departments.

Compliance Policies, Procedures, and Practices

The Company is committed to compliance with FCC rules. To effectuate this commitment, the Company has developed and implemented its Compliance Manual as well as a comprehensive and robust set of policies and procedures to prevent waste, fraud, and abuse of the TRS Fund.

The Compliance Manual describes the Company's commitment to compliance and its expectation that all employees will do their part. The manual describes permitted and prohibited activities in the following areas: working with customers, providing TRS services, determining qualifying calls, providing equivalent and innovative services, and reporting and record keeping.

The Company's policies and operating procedures detail the specific requirements that each department must follow to comply with FCC rules. All policies are maintained on the Company's internal intranet site, where employees have access to the policies and procedures applicable to their department. FCC-related policies are reviewed by the Compliance Department and Company counsel. The TRS policies cover a variety of topics, with detailed operating procedures implementing the policies. The following are examples of these topics: customer data access and use, whistleblower, CPNI, user registration, verification and certification, and prohibitions against incentives.

The Compliance Department in coordination with Company counsel monitors developments in FCC rules and evaluates whether those developments require a modification to the Company's policies and procedures. If a change is required, the Compliance Department identifies the affected departments and works with them to modify or create a policy or procedure to address the rule change. The Compliance Department reviews new policies and procedures, and as needed works with in-Company counsel to ensure the new policy or procedure appropriately addresses FCC rules.

Enforcement of Compliance Plan

If the Company determines that one or more of its employees have engaged in conduct that violates FCC rules or Company policies, the Compliance Department, in consultation with Company counsel, will take appropriate disciplinary measures up to and including termination, and referral to the appropriate governmental authorities.

If the Company determines that minutes have been billed improperly to the TRS Fund, the Company will advise the TRS Fund Administrator at the earliest opportunity through the submission of a revised or corrected billing submission.

ADDENDUM 3

CAPTIONCALL CPNI CERTIFICATION AND STATEMENT OF OPERATING PROCEDURES

**2021 Annual 47 C.F.R. § 64.5109(e) CPNI Certification for
Sorenson, LLC and CaptionCall, LLC**

I, Steven Fredley, certify that I am an officer of Sorenson Communications, LLC and its affiliate CaptionCall, LLC (together, “Companies,” individually, “Company”). Specifically, I serve as Chief Compliance Officer & Deputy General Counsel for the Companies. I have personal knowledge that, since the date of each Company’s prior 47 C.F.R. § 64.5109(e) certification, the Companies had an established Customer Proprietary Network Information (“CPNI”) policy that was adequate to ensure compliance with the Commission’s CPNI rules contained in 47 C.F.R. § 64.5109(e).

Attached to this certification is an accompanying statement explaining how the Companies’ policy has been sufficient to ensure proper treatment of CPNI. Each Company represents and warrants that this statement is consistent with 47 C.F.R. § 1.17, which requires truthful and accurate statements to the Commission. Each Company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed: _____
Steven Fredley
Chief Compliance Officer &
Deputy General Counsel
Sorenson Holdings, LLC

Executed December ____, 2021.

**Sorenson and CaptionCall
2021 Statement of Operating Procedures for CPNI**

Sorenson Communications, LLC and its affiliate CaptionCall, LLC (together, the “Companies,” individually “Company”) submit this compliance statement as required by 47 C.F.R. § 64.5109(e). Since the date of its last 47 C.F.R. § 64.5109(e) certification, the Companies had in place a Customer Proprietary Network Information Policy (“CPNI Policy”) that was sufficient to ensure compliance with the Commission’s CPNI regulations.

General duty, training, and discipline

The CPNI Policy defines CPNI consistently with 47 C.F.R. § 64.5109, addresses proper handling and use of CPNI, imposes a duty on employees to safeguard CPNI, and provides that violations of the CPNI Policy will subject an employee to disciplinary action, up to and including immediate termination of employment.

The CPNI Policy provides that CPNI shall be available to employees only on a need-to-know basis. During the reporting period, the Company provided training on its CPNI Policy for employees who have access to CPNI.

Use of customer proprietary network information

The CPNI Policy provides that each Company shall not use, disclose, or permit access to CPNI for marketing purposes except as permitted by 47 C.F.R. § 64.5109.

Safeguards on the disclosure of customer proprietary network information

The Companies have implemented a CPNI Policy designed to protect against attempts to gain unauthorized access to CPNI and authenticate a customer prior to disclosing CPNI.

Neither Company operates retail locations; accordingly, customers have no in-store access to CPNI.

For access to CPNI over the telephone or via telephone relay service, the CPNI Policy requires each Company to authenticate a customer through use of a password that is not prompted by the Company asking for readily available biographical information or account information. If the customer does not recall his or her password, the CPNI Policy requires each Company to authenticate the customer without using readily available biographical information or account information.

The CPNI Policy allows customers who have lost or forgotten their passwords to retrieve their passwords by their previously provided answer to a secret question, which does not involve the use of readily available biographical information or account information. If a customer cannot provide the correct password or the correct response to the shared secret question, the CPNI Policy requires the customer to be re-authenticated by (i) terminating the current call and calling the customer at the telephone number of record; (ii) having the customer present a valid government-issued identification over a video call; or (iii) emailing, texting, or pushing a “reset password” link (or other mechanism to require the customer to create a new password) to the

customer's phone, app, or email address that has been associated with the account for at least thirty days.

The CPNI Policy requires immediate customer notification whenever a password, customer response to a back-up means of authentication for lost or forgotten passwords, online account, or address of record is created or changed. This notice may not reveal the changed information and is sent to the existing telephone number of record, by mail to the existing physical address of record, or by email to the existing email address of record, and not to any address or number that has been changed.

Notification of customer proprietary information security breaches

Neither Company is aware of any breach of CPNI during the reporting period. The CPNI Policy requires notification of relevant law enforcement agencies and customers in accordance with FCC rules in the event of a breach of CPNI. The CPNI Policy also requires each Company to maintain records of any breaches discovered, notifications made to law enforcement, and notifications made to customers including, where available, dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach. The CPNI Policy requires each Company to maintain these records for two years.

Any actions against data brokers or customer complaints

Neither Company has taken any actions against data brokers in the preceding year, nor had any customer complaints concerning the unauthorized release of CPNI.

Instances where opt-out mechanisms do not work properly

Neither Company is aware of any instance where CPNI opt-out mechanisms failed to work properly.

EXHIBIT 1

UPDATED ORGANIZATIONAL STRUCTURE

[[TO BE INSERTED]]

EXHIBIT 2

LIST OF DIRECTORS AND OFFICERS

[[TO BE INSERTED]]

EXHIBIT 3

LIST OF SPONSORSHIP AGREEMENTS

[[TO BE INSERTED]]